The environmental review, consultation, and other actions required by applicable federal environmental laws for these projects are being, or have been, carried out by ODOT pursuant to 23 U.S.C. 327 and a memorandum of understanding dated June 6, 2018, and executed by FHWA and ODOT.
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INTRODUCTION

Purpose of the Manual

This manual provides guidance for conducting Public Involvement (PI) activities in accordance with the National Environmental Policy Act (NEPA), ODOT’s PI Requirements, and other pertinent federal and state environmental laws, regulations, and policies. The objective of the manual is to understand why we conduct PI and provide an overview of the Ohio Department of Transportation’s (ODOT’s) PI process as it relates to ODOT’s Project Development Process (PDP). A PI Toolbox has also been created to accompany this manual. The PI Toolbox includes information regarding how to conduct PI, including the steps to be taken to implement PI, and contains templates and examples for each PI product (such as letters, meeting materials, etc.).

The ODOT PI Manual and Toolbox are intended for ODOT, Local Public Agency (LPA), Metropolitan Planning Organization (MPO), and consultant staff involved in the development and implementation of PI activities and outreach programs associated with project planning and development. The manual and toolbox will assist ODOT District Environmental Staff, Project Managers (PM), the Project Management Team, and Public Information Officers (PIOs) in identifying the means, methods, and opportunities to solicit and gather input as part of a project’s decision-making process.

These efforts include identifying:

- Who should be involved in PI activities
- What regulatory steps to follow for PI
- What the documentation requirements are for PI activities
- When and how to incorporate PI into ODOT’s PDP
- When a Public Engagement Plan is required and the purpose for developing one
- When, where, why, and how to conduct PI meetings and corresponding activities
- How to successfully conduct outreach

The PI Manual includes information about why and generally how ODOT conducts PI while the PI Toolbox explains the in-depth, detailed steps to be taken to implement PI. It is strongly suggested that all PI materials be submitted to the Public Information Officer (PIO) for review to ensure the message is complete, clear, and concise.
# Chapter 1: Why Conduct Public Involvement?

## 1.1 Public Involvement Matters

The public plays an important role in shaping transportation decisions. Residents, businesses, industries, first responders, and government leaders depend on reliable transportation networks to provide safe and sustainable modes of travel and to stimulate economic vitality. All users have a vested interest in decisions made regarding transportation projects, not just as taxpayers, but because quality of life and day-to-day activities can be impacted by these transportation decisions.

PI relies on two groups:

<table>
<thead>
<tr>
<th>Agencies, organizations, and individuals that plan for, and fund projects</th>
<th>Individuals, businesses, and communities who may be affected by a project</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Transportation Officials</td>
<td>• Residents/Tenants</td>
</tr>
<tr>
<td>• Government Leaders</td>
<td>• General Public</td>
</tr>
<tr>
<td>• Community Proponents (Developers, Activists, etc.)</td>
<td>• Community Stakeholders (Business Owners, Community Organizations, etc.)</td>
</tr>
</tbody>
</table>

The PI process is a collaborative effort that can involve stakeholders (anyone with a stake or vested interest in the project such as impacted property owners, local officials, public services, community organizations, etc.), the public, coordinating agencies, transportation officials, and other interested parties. Establishing dialogue enables the exchange of ideas and opinions to take place. The inclusion of diverse viewpoints ensures the needs and preferences of a community are considered and enables transportation officials to make informed decisions based on multiple viewpoints.

According to the Federal Highway Administration’s (FHWA’s) Public Involvement Resource Guide, the purpose of PI is to:

- Provide interested parties an opportunity to have a voice in how the transportation system is developed
- Provide critical information for planners to understand and assess potential impacts from a project as viewed by the community
- Allow transportation and resource organizations to be aware of issues, problems and impacts to discuss them comprehensively and to determine how to address those
As the need for improved transportation systems has increased, so has the desire of the public to be involved in project planning, development, and design. Undoubtedly, individuals and entities will have various goals, visions, and interests concerning how a project should be incorporated into a community with minimal impacts and long-lasting benefits. Establishing a process that balances public and project interests is vital to ensuring Ohio’s transportation system remains socially, economically, and environmentally robust. To achieve this, ODOT is committed to fostering and integrating PI into project planning and development for all transportation projects.

1.2 The Importance of Public Involvement

Conducting PI is instrumental in:

- Meeting legal requirements;
- Managing stakeholder and public expectations, and;
- Assuring appropriate transportation decisions are made.

To achieve this, ODOT’s PI process is designed to obtain an array of viewpoints and concerns that pertain to specific transportation and community needs. While the level of PI required will depend on the purpose, scope and complexity of a project, the magnitude of environmental impacts, and anticipated and realized public reaction, opportunities for proactive engagement and outreach occur not only during the early stages of ODOT’s PDP, but throughout the life of a project.

Implementing a proactive process provides a balance between transportation needs and anticipated impacts to the human and natural environment. While the process may not lead to avoidance or minimization of all impacts, gathering consensus and addressing as many concerns as possible is the objective. Understanding the needs of those living or working within a community through interactive dialogue will help build rapport and trust.

Developing a partnership with local leaders, public officials, residents, businesses, advocacy groups, and organizations that have a vested interest in or who are impacted by a project is essential. Providing clarity and being direct, candid, and open-minded will increase trustworthiness and enhance project justification. Instituting this mindset will encourage proactive involvement and meaningful contributions that will benefit and enhance the decision-making process.

1.3 Public Involvement Laws and Regulations

The National Environmental Policy Act (NEPA) of 1969 requires ODOT (in partnership with the FHWA) to create an interdisciplinary approach to project planning and development, and decision-making. The approach not only requires that ODOT assess and determine if a project will result in significant environmental impacts, but also requires that input be solicited from
stakeholders and the public. This assists in the gathering of information to help reduce or alleviate potential direct, indirect, and cumulative impacts.

All transportation projects require early and continual PI opportunities during project planning and development in accordance with existing regulations found at 23 CFR 771. 111. An appropriate level of PI is required to be conducted based on a project’s type and complexity. A higher level of PI will be conducted for projects that require completion of an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) versus those that are Categorical Exclusions. PI activities for an EA and EIS include a public hearing or the opportunity for a public hearing per 23 CFR 771.119 and 23 CFR 771.123(h), respectively.

As with all laws and regulations, PI requirements are subject to change. Please refer to Appendix A for a list of PI laws and regulations. Additionally, please visit the OES website periodically for updates and be sure to sign up for the OES mailing list to be notified when changes go into effect.

1.4 ODOT’s PI Requirements

ODOT’s Public Involvement Requirements were approved by FHWA to ensure compliance with existing laws and regulatory requirements and to enhance decision-making. These requirements have been built into ODOT’s PDP.

ODOT’s process is designed to:
- Provide early and continuous public involvement opportunities;
- Provide reasonable public access to technical data and policy information;
- Provide adequate notice of public involvement opportunities and time for public review and comment at key transportation planning development milestones;
- Conduct public meetings at convenient and accessible locations and times;
- Employ visualization techniques to describe the planning process inputs and outcomes;
- To the maximum extent possible, make public information available in electronically accessible format and means, such as the internet;
- Demonstrate explicit consideration and response to public input received;
- Seek out and consider the needs and input of traditionally underserved populations (further defined in Chapter 3), as needed;
- Provide for procedure within the bounds of these requirements to allow for proper and meaningful public involvement in accordance with federal law, regulation, policy or guidance for environmental impacts associated with items such as Section 106, Section 4(f), floodplains, etc., as required.

All ODOT projects and Local Public Agency (LPA) projects that use federal dollars or for which there is a federal nexus (such as a waterway permit, etc.) must adhere to these requirements. Since ODOT provides oversight to the LPAs for these types of projects, it is ultimately ODOT’s responsibility to ensure the LPAs are meeting the requirements.
2.1 NEPA Public Involvement

A major goal of NEPA is to develop a PI process that provides the opportunity for stakeholders and the public to actively participate in transportation decision-making. Before a project is approved for federal funding and construction, ODOT is required to consider and assess all social, environmental and economic impacts a project may have on a community. The overall goal is to gain meaningful input from stakeholders, the public, and all interested parties, to transition through the PDP phases. To that end, the level of PI required will depend on the purpose, scope and complexity of a project, the magnitude of environmental impacts, and anticipated and realized public reaction. Please see the Public Involvement Toolbox for a list of items to consider when developing a scope and budget for your project’s PI.

Environmental Documents

ODOT is required to provide supporting documentation showing how we met the legal requirements for PI. Failure to do so could require repeating the project’s PI activities or reconsideration of a previously dismissed alternative. Both could have significant impacts to the project’s budget and schedule. ODOT’s actions must be able to withstand legal scrutiny. As a worst-case scenario, if ODOT failed to perform the minimum required PI and provide the appropriate supporting documentation, FHWA could require ODOT to pay back federal monies that were applied to the project and could potentially deny future federal funding.

Based on existing regulations at 23 CFR 771.115, environmental documents are categorized into three Classes of Action:

- **Class I - Environmental Impact Statement (EIS)** - Actions that significantly impact the environment
- **Class II - Categorical Exclusion (CE)** - Actions that do not individually or cumulatively have a significant environmental impact
- **Class III - Environmental Assessment (EA)** - Actions in which the significance of the environmental impact is not clearly established

Environmental Impact Statement

An EIS involves a higher level of PI activities with extensive coordination with stakeholders and the public to ensure all necessary steps are incorporated to comply with NEPA. Early in the development of an EIS, District Environmental Staff, the PM, and the Project Management Team conduct a scoping meeting that includes all identified stakeholders. This enables all parties to hear opinions, issues, and concerns related to the project.

Stakeholders are provided opportunities to comment on a project’s Purpose and Need (P&N), alternatives, and all social, economic, and environmental impacts. Multiple stakeholder and public meetings may be needed to understand and/or resolve as many issues as possible. Obtaining feedback will allow the Project Management Team to evaluate and address comments as the project progresses and alternative solutions are identified. As part of
ongoing PI activities, outreach is required to engage traditionally underserved groups (detailed information can be found in the Underserved Populations Guidance).

Multiple stakeholder and public meetings may be needed to understand and/or resolve issues before completion of a Draft EIS (DEIS). Depending on the issues, smaller meetings or workshops with various specific groups or individuals to obtain input on areas of concern may be helpful. Once the DEIS is completed, it is distributed to stakeholders (including affected government agencies that have jurisdiction, responsibility, or special expertise and adjacent states, if applicable) and the public. A hard copy must be placed at local community venues, such as libraries, municipal buildings, etc.

Following distribution of the DEIS, a public hearing is held. A public hearing is required by federal law for projects requiring the development of an EIS. The hearing offers the public an opportunity to comment on the DEIS, the alternatives under consideration, and the anticipated impacts. Based on existing federal regulations, the public hearing allows participants to make an oral statement which is recorded verbatim or to provide written comments. The public must be provided an opportunity to be heard in front of their peers.

After thoughtful consideration of all stakeholder and public comments the DEIS is updated, approved and circulated for public and agency review. The availability of the approved DEIS is announced to the public and, once again, hard copies are placed at local community venues. Written comments received during the review period, along with a certified transcript of verbal comments provided at the hearing, become part of the project record and are addressed in the Final EIS (FEIS) or included in the Record of Decision (ROD).

Categorical Exclusion
A project is given CE designation if it does not involve significant environmental impacts. This designation is based on 23 CFR 771.117 and ODOT’s CE Guidance. Most ODOT projects are classified as CEs.

For most lower level CEs (Path 1 and Path 2 projects), the type of PI activities anticipated are minimal. Lower level CEs may require interaction with stakeholders and property owners, as appropriate, but overall, because the impacts are low, the need for PI is less. Higher level CEs (Path 3, Path 4 and Path 5 projects) will require varying degrees of PI activities as these types of projects are more complex and usually involve a greater level of environmental impacts. Typically, these projects will warrant conducting public meetings or even a public hearing. Consideration of these variations should be considered when scoping and budgeting for PI.

Environmental Assessment

PI procedures for an EA are similar in nature to those required for an EIS. However, while the PI activities conducted will be commensurate with a project’s type and complexity, the documentation and coordination process vary slightly.

The EA must be approved before it is made available to the public. An EA does not need to be circulated but must be made available to the public through local, state, and/or regional notices of availability. A 30-day review period is required but can be reduced if circumstances warrant doing so. Though, 23 CFR 771.119 does not always require a public
hearing, ODOT’s process requires a public hearing be held for all projects with an EA document.

After public comments are received, considered, and appropriately addressed, a determination of the significance of the impacts is made.

- If it is evident no significant impacts will occur to the quality of the natural and human environment based on environmental analysis and interagency review, a Finding of No Significant Impact (FONSI) is prepared to conclude the process and document the decision.
- If at any point in preparing the EA it is discovered that the project will result in significant impacts an EIS must be prepared.

The FONSI is the EA modified to reflect all applicable comments and responses. The FONSI must include the project sponsor’s recommendation or selected alternative, unless it is reflected in the EA. No formal public circulation of the FONSI is required, but the state clearinghouse must be notified of the availability of the FONSI. In addition, a public notice of the availability of the FONSI is made through local media outlets.

**Emergency Projects**

For emergency projects the PI process is a little different from ODOT’s normal project PI process because of the nature of emergency projects and the urgency in needing to get information to the public as quickly as possible. ODOT is prepared to respond to, and provide public awareness/involvement activities for emergency/disaster events and other major roadway traffic impacts, including:

- Natural disasters like tornadoes, floods, fires, landslides, severe storms, etc. that may require evacuations, clearing road debris, etc.;
- Assisting law enforcement agencies with presidential/VIP/dignitary escorts and route road closings;
- Special transport needs of over-sized freight loads, hazardous or sensitive materials;
- Human-caused events such as civil disturbances, terrorism, hazardous material events, etc.
- Any significant multi-jurisdictional roadway response and recovery effort.

Informing the public about these emergencies might include:

- Focused media relations, including phone calls, emails and advisories to convey the emergency to the public;
- Information pieces, including publications, presentations and fliers on preparedness for weather-related emergencies, distributed to local government and civic groups;
- Email blasts to partner state agencies, legislators, county and city elected officials;
- Social media campaigns; and
- Web announcements

Emergency projects must be listed on the STIP but there is an expedited STIP process for emergency projects which can be found in the Public Involvement Toolbox. The Public Information Officer (PIO) will typically issue News Releases, post information on the ODOT web site and/or work with local media to ensure notifications are issued regarding closures and detours resulting from an emergency event. ODOT is generally already working closely with local emergency and public services during emergency situations to ensure the transportation system is restored to normal as quickly as possible. Consultation with
stakeholders and outreach to underserved populations are handled on a case-by-case basis, Public Meetings are not held, and there is no need to develop a formal public engagement plan for emergency repair projects.

2.2 Public Involvement and ODOT’s PDP

ODOT has developed and implemented a PDP that is designed as a project management and transportation decision-making tool. The PDP implements regular communication among technical disciplines that results in quality plan development, minimizes cost overruns during right-of-way (ROW) acquisition and construction, provides early identification of potential project issues, and incorporates PI activities. Each phase of the PDP is timed to facilitate informed decision-making based on an appropriate level of project planning and development and risk management. Involvement of all disciplines during the early stages of project planning and development ensures that issues affecting project type, scope, schedule, and costs are correctly evaluated.

All projects are categorized into one of five paths. Within each path, projects advance through five phases prior to project completion.

These phases are:
- Planning (PL)
- Preliminary Engineering (PE)
- Environmental Engineering (EE)
- Final Engineering/Right of Way (FE)
- Construction (CO)

Depending on their size, complexity, and/or potential impacts to the environment, ODOT transportation projects are categorized as one of five paths (Path 1-5), with Path 1 being the simplest of projects while Path 4/5 are the most complex. Although a project’s NEPA documentation is prepared, reviewed, and approved during the Environmental Engineering Phase, various PI activities supporting alternative development and NEPA documentation occur within all phases of the PDP.

Not all projects require only minimum level of effort. Many require elevated PI.
PI can occur during each phase of the PDP. To assist in determining how best to engage the public, ODOT’s Public Involvement Requirements, which can be found in the Public Involvement Toolbox, lists the PI requirements per PDP project path. These requirements, which are approved by FHWA, help to define the PI activities necessary to meet legal requirements.

District Environmental Staff, the Project Manager (PM), or the Project Management Team has the responsibility of ensuring these requirements are met on each project. Additionally, the project team may determine whether to conduct PI activities beyond the PI Requirements. Furthermore, the Project Management Team identifies stakeholders and is responsible for ensuring stakeholders and the public are informed and that appropriate opportunities to participate and contribute to the decision-making process occur early and continuously throughout the life of a project.

It is critical to note that sometimes the minimum effort is insufficient. PI activities may start out with a low level of effort that needs to be increased over time as the project progresses through the PDP. PI is “right-sized” during each phase to better support decision-making. This approach provides flexibility to adjust PI, if necessary, and ensures appropriate PI activities are conducted. The following section discusses PI activities that might be conducted during each phase of the PDP. A more detailed list may be found in the Public Involvement Toolbox.

Planning Phase

**PLANNING (PL)**

**POTENTIAL PI ACTIVITIES DURING PLANNING**

- Ensure project is listed on the STIP and that any PI performed during the STIP process is incorporated into the NEPA decision
- Ensure District Annual Construction Plan is published on ODOT website
- Identify and possibly consult with stakeholders
- Identify key issues
- Initiate contact with emergency and public services if detours and/or roadway restrictions are anticipated that may cause substantial traffic disruptions
- Determine standard plan notes to be included
- Begin development of the Public Engagement Plan, if one is required

During the Planning Phase, ODOT identifies stakeholders and key issues, and the public is provided information on the purpose and need for the transportation project. Public input helps with development of a Statewide Transportation Improvement Plan (STIP). Planning organizations solicit input when developing their Transportation Improvement Plans (TIPs). At this point during project development, it is determined how best to engage and establish communication with stakeholders and the public, using ODOT’s Public Involvement Requirements and Public Involvement Toolbox as a starting point. The initial scope and budget for PI activities should be considered at this point, however, updates may be required throughout the PDP.
As part of Statewide and Metropolitan Transportation Planning and Programming processes, federal regulations require ODOT and Ohio’s Metropolitan Planning Organizations (MPOs) to develop proactive PI processes that provide opportunities for public review and comment as part of early project planning and development. These activities are essential to developing a Statewide Transportation Plan (STP) and a Statewide Transportation Improvement Program (STIP), in accordance with 23 United States Code (USC) 134 and 135. The public is provided information on the need for a transportation project(s), as well as technical and policy information used as part of project planning and development. ODOT’s Planning Program Public Involvement Process is a separate guidance document for planning studies and goes into more details on this topic.

Additional PI activities during the Planning Phase will vary, depending on the PDP Path selected. While Public Notification Letters (PNLs) can be used as outreach for all projects, they are typically the primary means of outreach for Path 1 and Path 2 projects. For these type of projects, District Environmental Staff or the PM ensure PNLs are mailed to residents, businesses, and organizations within or near the project area notifying them of the proposed project. Contact with emergency and public services entities must be initiated during the Planning or Preliminary Engineering Phase if detours and/or roadway restrictions are anticipated that may cause substantial traffic disruptions. Roadway restrictions are defined for the purposes of this guidance as any planned restriction of movement that would impact response times for emergency services personnel or that would impact bus route schedules, etc. Districts will have to make a judgement call regarding whether this applies to their project. Contact must be maintained throughout project development and construction to provide updates. Details regarding information to be included in PNLs are discussed later in this manual and examples are provided in the Public Involvement Toolbox.

The PM is responsible for developing a plan to outline the decision-making process and to define strategic PI objectives which will provide opportunities for stakeholder involvement throughout the PDP. A formal Public Engagement Plan is required for most Path 3 projects and for all Path 4 and Path 5 projects. Path 3 projects that would have required a C2 level environmental document but were bumped up to a D1 level environmental document due to disposing of excess right-of-way or needing an individual waterway permit are exempt from this requirement. Other projects may also be exempted from this requirement on a limited case-by-case approval from OES basis. When developing the Public Engagement Plan, District Environmental Staff, the PM, or the Project Management Team should be familiar with past PI successes and failures associated with similar type projects within the surrounding area. If there is no previous experience from which to draw, consultation with local stakeholders or the Office of Environmental Services may be necessary to determine the appropriate level of PI. The Public Engagement Plan is discussed more in depth in the next chapter.

A Project Management Team may be assembled for a Path 3, Path 4, or Path 5 project. The Project Management Team is responsible for conducting PI activities that are commensurate with a project’s type and complexity. Furthermore, the team collectively develops a Public Engagement Plan, if one is required for the project, and ensures appropriate consultation with stakeholders occurs. PI continues to build from this point forward as the project is developed.
Preliminary Engineering Phase

During the Preliminary Engineering phase of the PDP, feasible alternatives are developed. The goal of PI activities during this phase is to present feasible alternatives under consideration to stakeholders and the public and to obtain feedback. The Project Management Team determines the appropriate level of PI activities. For more complex projects, stakeholders are consulted regarding the results of the Feasibility Study and the Alternative Evaluation Report, if they are required for the project, prior to information being shared with the public for their review and feedback. Some common activities during the Preliminary Engineering Phase may include attending city or township meetings; issuing stakeholder and public notifications through multiple platforms, including internet, email, and social media; hosting PI meetings, workshops, or gatherings; participating in one-on-one or small group meetings; and mailing Public Notification Letters (PNLs), and other materials. The project team should use multiple forms of communication tools and techniques to ensure a broad outreach to the public.

TYPICAL PI ACTIVITIES DURING PRELIMINARY ENGINEERING

All Projects
- Issue Public Notification Letters, if impacted (e.g. access restrictions, right-of-way take)
- Issue News Release

Path 3, Path 4, and Path 5 Projects (including EA and EIS)
- Host Broad PI Meetings
- Attend Regular City/Township Meetings
- Conduct One-on-One/Small Group Meetings
Environmental Engineering Phase

TYPICAL PI ACTIVITIES DURING ENVIRONMENTAL ENGINEERING:

PI Becomes More Focused

All Projects
- Conduct one-on-one/Small Group Meetings
- Attend Regular City/Township Meetings

Path 3, Path 4, and Path 5 Projects (including EA and EIS)
- Transition from Hosting Broad PI Meetings to Conducting Specific PI Meetings, Hearings, or Workshops
- Public permitted time to review and comment on project and alternatives
- Conduct resource specific PI, if necessary

During the Environmental Engineering phase of the PDP, the preferred alternative and its associated impacts is given a more detailed look. Environmental studies are typically conducted within the construction limits of the preferred alternative to refine the level of impacts associated with the alignment. However, large and more complex projects may require extensive public outreach beyond the project’s construction limits or immediate project area. These studies are used to quantify and qualify the characteristics of the natural and built environment. Reports generated from these investigations will determine whether further studies are warranted. Once the studies have been reviewed and approved, PI activities are planned and scheduled, as appropriate. PI efforts start to become more focused at this point. For instance, for a major project there may have been 300-400 people attend PI meetings during the Preliminary Engineering Phase, but that number may be closer to 150 attendees during Environmental Engineering. There is usually a shift to issuing more project notifications during the Environmental Engineering Phase for projects requiring a CE environmental document; However, projects requiring and EA or EIS NEPA is not yet approved at this point and a public hearing must be held.
Chapter 2: NEPA, the PDP, and Public Involvement
01/06/2020

Final Engineering/Right-of-Way Phase

**TYPICAL PI ACTIVITIES DURING FINAL ENGINEERING/RIGHT-OF-WAY:**

The environmental document has likely been approved and majority of PI is complete unless there are specific PI environmental commitments within the environmental document. Any other PI being carried out during these phases are not necessarily those required by NEPA.

**All Projects**
- Increased Focus on Web, Email, Social Media Project Updates

**Some Path 3, Path 4 and Path 5 Projects (including EA and EIS)**
- Conduct One-on-One/Small Group Meetings
- Attend Regular City/Township Meetings
- Conduct Resource Specific PI

The purpose of Final Engineering/Right-of-Way is to perform the final (Stage 3) detailed engineering design of the preferred alternative. This work builds upon and refines the Stage 2 design work completed during the Environmental Engineering Phase. All NEPA PI activities will have been completed by this phase; however, it is possible that design meetings with property owners to discuss specific property issues (landscaping, access, etc.) or resource specific PI activities may occur (e.g. Noise PI, Aesthetic Design, etc.). The PI process for specific resources is slightly different than that mandated from a NEPA standpoint, but the intent is still the same: to obtain input to enhance decision-making.

If the project will involve right-of-way acquisitions, the ODOT Office of Real Estate will conduct meetings with property owners at the initiation of the Final Engineering/Right-of-Way Phase of the PDP. The primary purpose of the meeting is to familiarize property owners with the proposed project, how the specific project impacts their property, and to help property owners gain an understanding of the right-of-way acquisition process by ODOT Real Estate staff who are directly involved with the specific project. This meeting may be conducted in conjunction with a general project open house or formal public meeting or may be held separately; or, one-on-one meetings with property owners may be conducted. The Office of Real Estate subject-matter experts will conduct these meetings and they will only be considered PI activity if conducted as part of a project’s open house or formal public meeting.
Construction Phase

TYPICAL PI ACTIVITIES DURING CONSTRUCTION:

The environmental document has likely been approved and majority of PI is complete unless there are specific PI environmental commitments within the environmental document. Any other PI being carried out during these phases are not necessarily those required by NEPA.

All Projects
• Issue News Releases, as necessary

Path 3, Path 4, and Path 5 Projects (including EA and EIS)
• Address Impacts
• Meet with Property Owners, as necessary

During the Construction phase, the environmental document has already been approved and most PI has been completed. PI conducted during Construction transitions to the Office of Communications and/or the District PIO as the public is made aware of construction schedules and local stakeholders continue to provide input on how construction may affect the local community. ODOT has specific PI outreach required for scheduling road closures or detours around high-traffic areas, daily high traffic times, or special events. See ODOT’s Traffic Engineering Manual (605-6.2 Notice of Closure Signs (W20-H13), 642-8 Item 614, Maintaining Traffic (Notice of Closure Sign), and 642-58 Notification of Traffic Restrictions) for these requirements. Typical PI activities during this phase generally include issuing News Releases regarding detours and/or roadway restrictions, meeting with property owners, and addressing impacts. It is important to build time into the schedule to provide ample notice to the Public Information Officer to prepare and issue the proper News Releases and public notifications. Please note that contracts for emergency repairs, such as guardrail ding and dent or pothole patching where the locations may not be known until the day of the repairs, are exempt from the 14-day notification requirement.

It is important to continue PI activities after the environmental document is approved, as stakeholders and the public will be interested in progress and any changes that may result. This is especially true if controversy or opposition to the proposed project exists. Resource specific (e.g., Section 106, Noise, etc.) PI activities or meetings may also be necessary. Resource specific PI is discussed a little more later in this manual and the PI Toolbox contains more detailed guidance, templates, and examples for resource specific PI. Additionally, each resource area has its own manual and/or guidance which includes much more detail and should be consulted.
2.3 Public Involvement per Project Path

PUBLIC INVOLVEMENT PER PDP PATH
PI activities will correspond to decision-making points in the PDP, such as purpose and need, alternatives considered, etc. Above all, ODOT must continue to strive for proactive and strategic PI planning. Also, understanding the PDP allows the project team to determine when to engage the public. ODOT developed a list of Public Involvement Requirements per each project path.

PATH 1 PROJECTS
Path 1 projects are simple maintenance type projects and make up much of ODOT’s program. Examples include roadway resurfacing, culvert inspections, and guardrail installation. Path 1 projects have no right-of-way or utility impacts. They have few or no impacts and do not necessitate many PI efforts beyond those completed during the STIP process.

PI Meetings are typically not necessary for Path 1 projects. Consultation with specific ODOT offices or Stakeholders may be necessary, depending on the project. For instance, if there are maintenance of traffic concerns or if there is some minor local controversy. Typically, the STIP process and sometimes News Releases and PNLs will be the only PI necessary for these projects.

PATH 2 PROJECTS
Path 2 projects are also simple projects and may be similar in work type to Path 1 projects. They involve non-complex structure and roadway work such as culvert or bridge rehabilitation or replacement, signal installation, addition of turn lanes, etc. Path 2 projects involve minor right-of-way acquisition, such as strip takes, temporary easements, or channel easements.

PI Meetings are typically not necessary for Path 2 projects either and the STIP process, News Releases, and PNLs will likely suffice. However, there may be times when it makes sense to conduct a public meeting, such as introducing something new or controversial (Roundabout, R-Cut, etc.). Consultation with specific ODOT offices or Stakeholders may be necessary, depending on the project. For instance, if there are maintenance of traffic concerns or if there is some minor local controversy.
PATH 3 PROJECTS
Path 3 projects are higher difficulty projects that involve moderate roadway and/or structure work. Examples include minor realignments and/or reconstruction, corridor capacity improvements, such as additional through lanes, and interstate reconstruction and/or widening. Path 3 projects can involve utility locations and right-of-way acquisition, including relocations.

Path 3 projects typically require additional consideration of multiple alternatives due to a higher risk or complexity of issues and/or public controversy. Path 3 projects are usually more complex in nature and often require more intense PI activities.

PATH 4 PROJECTS
Path 4 projects include very complex roadway and structure projects which may add capacity, involve substantial utility and right-of-way, and typically involve multiple alternatives. Examples of Path 4 projects are highway widening, new alignments in suburban or rural settings, roadway or bridge reconstruction, access management, or complex bridge replacements. Path 4 projects would usually engage rural and/or farming communities. These projects typically involve a high level of complexity, which requires a significant amount of public outreach and consideration. For these projects, it is possible that multiple public meetings will be required. Furthermore, if the environmental document for a project is an Environmental Assessment or Environmental Impact Statement, a Public Hearing must be conducted.

Path 4 projects usually require the development of a Feasibility Study and an Alternative Evaluation Report. Stakeholders (anyone with a stake or vested interest in the project such as impacted property owners, local officials, public services, community organizations, etc.) are typically given the opportunity to review and are consulted after the completion of each of these studies prior to them being shared with the public.

PATH 5 PROJECTS
Path 5 projects are ODOT’s most complex roadway and structure projects which may add capacity, involve substantial utility and right-of-way, and may involve multiple alternatives in an urban setting. Path 5 projects would most likely engage urban center populations. These projects typically involve a high level of complexity, which requires a significant amount of public outreach and consideration. For these projects, it is possible that multiple public meetings will be required. Furthermore, if
the environmental document for a project is an Environmental Assessment or Environmental Impact Statement, a Public Hearing must be conducted.

Path 5 projects usually require the development of a Feasibility Study and an Alternative Evaluation Report. Stakeholders (anyone with a stake or vested interest in the project such as impacted property owners, local officials, public services, community organizations, etc.) are typically given the opportunity to review and are consulted after the completion of each of these studies prior to them being shared with the public.

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2.4 Scoping & Budgeting for Public Involvement

When scoping projects as part of the Project Initiation Package (PIP), ODOT District Planning and Engineering Staff, with assistance from ODOT Project Manager (as needed), work to identify certain disciplines that may require coordination with interested groups, agencies, or individuals. The PIP will provide a checklist of what to look for (ecological impacts, historic impacts, etc.). Once the PIP is completed, ODOT’s PI Requirements for each PDP Path are the starting point for defining a scope for PI efforts but there are many other things to think about from a risk-management perspective. Please refer to The Ohio Department of Transportation Administration of Contracts for Professional Services Volume 4 - Consultant Fee Estimation Guidance when developing a project’s scope and budget. ODOT District Environmental staff should be consulted at project initiation for assistance with determining a project’s path and scoping and the District Public Information Officer should be consulted regarding PI activities. It is strongly suggested that LPA’s consult with District Environmental Staff when scoping their projects, as well. Items to consider when developing a scope and budget for a project’s PI activities may be found in the Public Involvement Toolbox.

Regularly scheduled project or program meetings which include representatives from all involved disciplines (including LPAs, if applicable) to review and discuss project status will help
to ensure compliance and adherence to scope and schedule. These types of meetings are strongly recommended.

2.5 Documentation of Public Involvement Activities

PI documentation required for NEPA depends on a project’s associated impacts upon the human and natural environment and vary based on the type of PI conducted. Documentation of PI activities is critical to measure successes and demonstrate federal and state compliance for PI. Appropriate and complete documentation of PI activities, especially public feedback, will involve the entire project team who had public interaction. PI documentation provides a history and record of commitments made as a result of outreach activities throughout each stage of the transportation decision-making process. This documentation also serves as Underserved Populations (e.g. Environmental Justice and Title VI) documentation and should be referenced in the Public Engagement Plan. The public will have access to this documentation to confirm their input was heard or otherwise received and considered. Recording the process and the results of the process is also important because that record is often consulted during decision-making. Rejected ideas have a way of resurfacing if they are not accurately recorded and addressed. In addition, decision-makers must know how the public was involved, whether the appropriate stakeholders participated, what the public said, and many other factors that carry weight in their decisions. ODOT also has legal requirements that must be fulfilled through careful and accurate documentation.

In accordance with the NEPA Assignment MOU between FHWA and ODOT, executed December 11, 2015 and amended June 6, 2018, ODOT is required to retain project files and general administrative files related to NEPA responsibilities and provide evidence that all minimum PI requirements have been met. Every related decision-making document must be included in ODOT’s online environmental project file system, EnviroNet. To insure PI documentation requirements are being met, all PI activities must be documented, and the materials must be uploaded to the project file in EnviroNet as they are developed. Proper documentation includes compiling all materials related to the PI activity and uploading them to EnviroNet as they are developed.

The following guidance must be followed when documenting PI activities:

- ODOT’s Public Involvement Requirements
- ODOT’s File Management and Documentation Guidance (Public Involvement Section)
- ODOT’s Categorical Exclusion Guidance, which includes a section regarding minimum documentation required for each project path

2.6 Best Practices for Public Involvement

PI is beneficial for ODOT as well as the public. Successful PI facilitates project planning and development by ensuring issues are addressed early in the process and that the public is informed of project actions that could impact their community. Additionally, proactive input enhances the decision-making process and enables more realistic management of expectations. Stakeholder participation is also crucial for building consensus.

ODOT conducts PI not only because it is legally mandated but because it is simply the right thing to do. The following best practices guide ODOT’s approach to PI.

- Provide early and continuous PI opportunities
• Share project studies and data with public
• Use visualization techniques that help the public understand the project process inputs and outcomes, such as traffic modeling for roundabouts or other complicated elements of a project.
• Consider and respond to all public input received and make sure to document the coordination.
• Encourage public input to address neighborhood impacts or community concerns.
• Use social media and project websites to provide reasonable public access to technical data in an easily understood manner
• Involve the public early and ensure they have proper notice of PI opportunities for review and comment at key transportation planning development milestones
• Submit all PI materials to the Public Information Officer (PIO) for review to ensure the message is complete, clear, and concise.
CHAPTER 3: PREPARING FOR OUTREACH

Successful PI includes identifying appropriate methods to deliver project information in an accurate and well-timed fashion to establish communication with stakeholders, the public, and other interested parties. This is especially important for projects that have potential or anticipated impacts on a community, daily travel and quality of life. The development of PI goals and objectives will assist in how the message is delivered appropriately and enhance the decision-making process. Furthermore, goals and objectives that promote interaction between the Project Management Team, stakeholders, the public and all interested parties, will provide a platform for success.

ODOT has developed brand guidelines that must be followed for all types of communication, including ODOT letters, publications, digital communications, presentations, studies, technical reports, etc. ODOT’s brand is our most visible asset and is an extension of all that we are: our long history, diversity, and culture. ODOT’s brand and identity guidelines are the foundation to communicating ODOT’s message consistently, clearly, and with purpose. Please consult with the District Environmental Coordinator for your project to ensure conformity with ODOT’s brand.

3.1 Public Notification vs. Public Involvement

To deliver the intended message, it is important to identify the difference between public notification and public involvement.

**Public Notification** - One-way communication that is essential to project construction and maintenance and operations activities; minimal opportunity to provide feedback.

**Public Involvement** - Two-way communication that is instrumental for project planning and programming; provides opportunities for stakeholder and public input received that is integrated into the transportation decision-making process.

Public Notification

The goal of public notification is to provide basic information that is timely and easy to understand. Public information distributed by ODOT on a daily basis often provides updates on planned projects, on-going projects, and travel advisories related to accidents, roadway closures and detours. This information is conveyed electronically (e.g. message signs/boards) or through other forms of communication (e.g. Twitter) to provide essential real-time information to the traveling public. The value of public notifications is that it increases project awareness and related issues in a concise and clear way.

While notification may provide ways to get involved or stay informed, the opportunity to provide feedback is minimal. Social media sites (e.g. Facebook) and other internet outlets can be used to reach wide segments of the public. In today’s high-speed world, technology supports the distribution of information to a large audience or a specific group in a matter of seconds.
Public Involvement

PI is interactive and enables stakeholder and public participation to take place within the framework of the transportation decision-making process. PI is a managed process that solicits input and seeks to find a balance between community values, interests and needs, and necessary transportation improvements. Stakeholders, the public and transportation decision-makers collaborate to fully comprehend the problems, opportunities, and constraints. By including multiple perspectives, a more thorough understanding of the transportation issues, related decisions, and project impacts is possible. The desired result is that available options for a viable transportation solution are found and that consensus is made.

PI supports the development of sustainable decisions, the viewpoints of stakeholders and the public, and decisions made. The ODOT PI Process is designed to identify and address latent controversy before final decisions are made by involving all community segments in the transportation decision-making process. The earlier in the decision-making process that meaningful information can be collected from the affected community, better decisions can be made as a project progresses through the PDP.

### 3.2 Public Engagement Plan

The Public Engagement Plan (PEP) is a valuable tool that when integrated as part of project planning and development, provides direction on how to properly inform stakeholders and the public and how to incorporate their input during each phase of the PDP. Creating a plan ensures PI is conducted in a manner that is consistent and transparent and provides means to exchange ideas, concerns, and information.

A PEP is developed early in the Planning Phase of ODOT’s PDP. The PEP is a way for the Project Management Team to identify appropriate outreach activities, methods for distributing information and communicating with all interested parties, and to meet all applicable legal requirements. Developing a PEP will assure proactive efforts are made to enhance project awareness, public interaction, consensus building, and provide opportunities to express opinions, concerns, and ideas as part of the decision-making process.

The Public Engagement Plan:
- Identifies when key decisions will be made
- Identifies decision-makers
- Identifies means and methods of delivering notifications/updates
- Identifies methods and techniques to facilitate involvement and input

Creating a Public Engagement Plan is based on a project’s type and complexity. Based on the scope of the project, the appropriate PDP path will be selected. If a Public Engagement Plan is needed, the Project Management Team will evaluate the effectiveness of each approach and strategy outlined in the plan and modify as needed throughout each phase of the PDP. Generally, however:
- Path 1 and Path 2 projects do not require a Public Engagement Plan, but one may be desired depending on the complexity of the proposed project or anticipated public controversy
A Public Engagement Plan is required for Path 3 projects that require a D1 or higher-level environmental document, as well as for all Path 4 and Path 5 projects. Exempt from this requirement are:
- Disposal of excess right-of-way projects
- Projects with a C2 level environmental document that has been elevated up to a D1 level due to a requirement for an individual waterway permit
- Other limited case-by-case instances with approval from OES

The Project Management Team is responsible for developing and implementing components of the plan, but the Project Manager bears ultimate responsibility. Depending on a project’s type and complexity, development and implementation of the plan may involve collaboration with stakeholders. For projects with a D2 or higher-level environmental document, the Public Engagement Plan must be submitted to OES for review and approval via EnviroNet.

3.3 Stakeholder Consultation

Stakeholders are an integral part of the PI process whose views and concerns need to be understood and captured to avoid or minimize false assumptions, misunderstandings, project delays, cost overruns and controversy. Transportation projects are more likely to be accepted and supported overall when stakeholders are given an active role in shaping the decisions made.

Stakeholders are essential throughout every phase of a project’s decision-making process. It is vital that a variety of individuals and groups are involved in the process and provide input to assist the project team in defining a project’s purpose, needs, and goals. What each stakeholder sees as a solution may be different and they may offer a unique perspective in identifying the problem and the changes and improvements needed.

Well-respected and credible community leaders may exist within the stakeholders assembled that have decision-making capacity or the ability to exert their influence to bring a project into reality or even bring it to a stop. These community leaders may have access to multiple resource networks, experience with transportation issues, and an understanding of community needs and desires. If not immediately known, community leaders can be identified by other stakeholders, by reviewing records of public meetings, or through the recommendations of others in the community.

To ensure that a successful and smooth decision-making process will result, the following items are incorporated into project planning and development and the Public Engagement Plan, if one is required or desired for your project.

The Role of the Public as a Stakeholder

The public is an individual citizen or group of citizens living in communities affected by a project and includes commuters and other users of existing transportation networks. Understanding the relationship between transportation decisions and the impact to a community will help reduce conflict and resolve existing and future issues. Incorporating public views into the decision-making process will enable individuals knowledgeable about the community to provide meaningful input, develop a diverse community network and allow others affected by the project to express their views.
Every segment of the population is essential to project planning and development. Unique and innovative methods may be needed to reach out to diverse populations. The opportunity for meaningful participation must be provided and regulatory statutes must be met. Outreach methods will be discussed in more detail later in this manual but must include the public within or around the project area, such as:

- Users of mass transit
- Homeowners and Tenants
- Traveling Public
- Traditionally Underserved Populations
  - Minority populations
  - Low-income populations
  - Older adults
  - Individuals with disabilities
  - Limited English Proficiency (LEP) populations

Using creative techniques that increase participation and interaction and that help to develop community partnerships is essential. Meetings with stakeholders, traditionally underserved populations, and the public may be held separately but all are equally important, and each unique perspective must be considered.

3.4 Underserved Populations

Communities can be comprised of minority, low-income, older adults, individuals with disabilities, non-English speaking residents, and various ethnic groups. These traditionally underserved populations oftentimes find it difficult to participate in customary PI activities. This is commonly attributed to lack of adequate transportation options, inaccessible meeting locations, lack of access to print and social media, or simply being excluded and not informed from the beginning. Obtaining input from every segment of the population, to the extent practical, is critical to successful transportation planning, development, and decision-making. Developing unique and innovative methods to reach out to underserved populations that go beyond customary PI approaches and techniques can stimulate involvement. For instance, if the project is in a largely Hispanic community, rather than issuing a press release and mailing letters, printing the same project information in English on one side and in Spanish on the other and distributing the information door-to-door or at popular local venues has been identified as a best practice. It is important to note that this will likely be very different in rural areas than in urban areas. College towns may have an impact on the outreach approach as well. It is important to consider your audience when developing and considering outreach methods.

ODOT’s PI process requires the identification of and engagement with underserved populations as early in ODOT’s PDP as possible. Depending on a project’s type and complexity, specific activities may be needed during each phase of the PDP to ensure underserved populations are involved. The appropriate message and delivery technique will be developed by District Environmental Staff, Office of Environmental Services (OES), the Project Manager (PM), or the Project Management Team with assistance from vital stakeholders, as needed, to ensure meaningful communication and dialogue is established and that effective distribution of information takes place. ODOT’s Underserved Populations
Guidance details which projects are exempt from detailed analysis and how to identify and engage these populations for projects which require detailed analysis.

Compliance with laws and implementing regulations and directives (Please see Appendix A) assures every effort is made to prevent discrimination during PI activities and programs. It is imperative that all necessary steps be taken to ensure opportunity for meaningful participation is provided and that regulatory statutes are met. A host of regulations require ODOT to proactively identify Underserved Populations and include them in the decision-making process. ODOT considers Underserved Populations throughout the PDP, with the goal of avoiding negative impacts, if possible.

3.5 Resource Specific PI

Depending on the context and intensity of anticipated project impacts to the human and natural environment based on the results of technical and environmental studies, it may become necessary to incorporate resource specific PI activities during any phase of ODOT’s PDP. Several regulations require ODOT to investigate impacts to certain types of resources and conduct appropriate PI before affecting these resources. The PDP facilitates compliance by indicating when specific considerations occur in project development. These activities may occur during the earlier phases of the PDP and after approval of the environmental document. Neglecting to follow these protocols can expose the Department to controversy, lawsuits, loss of federal funding, and other consequences. Resources that commonly require that ODOT conduct resource specific PI for projects may include, but not be limited to:

- Aesthetic Design
- Noise
- Section 4(f)
- Section 106
- Underserved Populations

Please refer to the resource specific folder that applies to your project in the PI Toolbox for additional information regarding appropriate outreach.
4.1 Engagement Strategies

Conducting appropriate PI activities is critical to delivering the message correctly, accurately, and clearly. Based on a project’s type and complexity, District Environmental Staff, the Project Manager (PM), or the Project Management Team determine the level of outreach needed with stakeholders and the public to discover alternate viewpoints and to better understand community needs. As a project progresses, increased interaction will determine if the techniques and methods contained in the Public Engagement Plan are realistic and applicable. Effective public engagement includes a combination of written and non-written communication outreach methods. It is not necessarily the tool or technique chosen that determines success, but rather how it is implemented. It is strongly suggested that all PI materials be submitted to the Public Information Officer (PIO) for review to ensure the message is complete, clear, and concise.

For Path 3, Path 4, and Path 5 projects, the type and frequency of PI activities can be determined through Strategy Meetings or through a task force comprised of a Public Information Officer (PIO) and PI subject matter experts. The goal is to define how and when the distribution of information will occur, as well as identifying the proper means to obtain input from stakeholders and the public. Depending on the complexities or issues surrounding a project, Strategy Meetings or the smaller task force may include specific stakeholders that represent the interests of the affected community.

Coordinating specific PI activities within the framework of the PDP is essential to achieving desired results. Each project will have different PI needs depending on geographic location, presence of Underserved Populations (UP), Title VI requirements, stakeholder interests and desires, community values, project complexities, or existing controversy.

When working with Local Public Agencies (LPAs), the LPA should be spearheading the PI efforts; however, ODOT district environmental staff may need to provide guidance and oversight to the LPA to ensure PI Requirements are met. Additionally, obtaining a PI summary document from the LPA to ensure all requirements have been met is strongly recommended.

Strategic Communication

Appropriate outreach efforts and PI activities are based on a project’s type and complexity, and to a certain extent, its geographic location within a community. These factors help develop a strategy that:

- Effectively conveys the message
- Establishes proactive and sustained involvement
- Identifies appropriate distribution materials
- Identifies appropriate means of communication

The methods identified for each project will depend on the PDP Path selected. Developing a communication strategy promotes project awareness, proactive engagement with all interested parties, and provides project development updates, decisions made, and
construction timetable. Initial contact can occur through, but is not limited to, the following forms of public notification:

- Public Notification Letters (PNLs)
- Right-of-Entry Notifications
- Stakeholder Notifications
- Media Coverage
- Dedicated Project Website
- Social Media
- Printed Materials

Do not rely solely on project websites, social media, e-mail or other electronic means to disseminate information. These means may not be effective in reaching underserved populations or other segments of the community. Path 3 projects and higher will require elevated PI efforts. Stakeholders can assist the PM and the Project Management Team in determining the best overall approach.

The communication plan is developed by the Project Management Team during strategy meetings. This ensures the techniques and methods of distributing appropriate information is discussed. It is imperative that the message is repeated consistently to ensure that issues and information pertinent to the project’s scope and study area are fully sought out and not confused with those outside of the project area.

While newspapers, radio and television are clearly the most visible media outlets, there are other opportunities to present information regarding a project and related PI outreach activities. The use of fliers, newsletters, brochures, and fact sheets, to name a few, can be used to reach a more targeted audience.

Social Media

Social media has become a cornerstone of effective communication in the past decade. Use of social media ensures that interested stakeholders receive timely, accurate information directly from ODOT. Social media is not a replacement for other forms of outreach, but it can help broaden outreach, increase awareness and education and provide engagement opportunities to the public who traditionally do not participate. Social media should not stand alone and does not replace the need for customary outreach tools such as public meetings, workshops, local outreach and hard-copy information materials such as fact sheets. Facebook pages and Twitter feeds are examples of digital project communication. Each ODOT District has its own Twitter, Facebook, and YouTube accounts, and posts notifications about project events and activities on these outlets. In an effort to maximize audience engagement and exposure, social media accounts are generally not created for individual projects.
**Websites**

Websites are an effective method of communication that provide a central, consistent source of information and updates about the project. Project websites are inexpensive to create, easy to update and manage, and easily accessible by the public. Websites are also useful for keeping track of public interest through website traffic tracking and analysis tools. Websites must meet ADA accessibility requirements and must provide contact information for one point of contact and information regarding how the public may submit comments (i.e., via website, phone, or email). Surveys and polls may be conducted through the project website at critical milestones to efficiently gauge public opinion of the decision-making process. Automation tools allow for websites to be translated into the user’s choice of dozens of languages. Please see the PI Toolbox for examples of project websites.

**Videos**

Videos are a great way of showing the public a new traffic pattern, such as a roundabout, a project that involves lane-shifts, or a diverging diamond interchange movement, explain a maintenance process, etc. They can be used exclusively to reach stakeholder groups or as an additional tool to reach a wider audience. Informational videos that explain general activities like winter operations and mowing can be reused and repurposed for multiple projects and audiences. Videos can be an additional tool for use on social media, News Releases, and project websites.

**Community Outreach**

PI aims to involve the largest possible segment of the population. Yet traditional methods such as meetings and hearings might be attended by only a small group of people compared to the number who are interested or impacted. To maximize public engagement, ODOT attends public events or identifies public places to disseminate information pertinent to the project, either by distributing fliers or by setting up kiosks/booths to discuss details of the project. Following are examples of nontraditional places where grassroots outreach can be used:

- Distributing information about a project or upcoming opportunities for PI at transportation hubs, transfer stations or heavily used transit stops; this is especially beneficial for transit projects.
- Setting up a booth at community fairs or events to increase exposure for a project plan and to distribute fliers or other information.
- Sharing posters or project information at shopping centers, where the project team can reach a large number of people from diverse backgrounds, and at community centers or other common community gathering places (the latter can be highly effective when reaching Native American communities, e.g., coordinating with chapter houses and other locations where other community information is regularly shared).
- Hosting community meetings at the local library, local restaurants, etc.
- Meeting with members of a community to seek their assistance with distributing information and/or collecting feedback.
• Developing a “Meeting-in-a-box” kit with conversation starter cards about one or two specific topics and recruiting community leaders to host small group meetings with individuals from the community.

• Hosting “Kitchen Table Meetings” or “Coffee Talks” helps increase coordination between property owners and project personnel, resulting in higher satisfaction of both parties.

Virtual PI
Virtual PI is a great way to enhance in-person events; however, it is not appropriate for all situations. Virtual PI is not meant to replace, but to compliment traditional techniques. Using virtual PI tools enhances and broadens the reach of public engagement efforts by making participation more convenient, affordable, and enjoyable for greater numbers of people. Virtual tools provide increased transparency and access to transportation planning activities and project development and decision-making processes. Many virtual tools also provide information in visual and interactive formats that enrich public and stakeholder understanding of proposed projects and plans. More information about virtual PI can be found in the PI Toolbox, but some examples include:

- Mobile applications
- Project visualizations
- Do-it-yourself videos
- Crowdsourcing and/or mapping tools
- Virtual town hall meetings
- All-in-one/digital tools

4.2 Engaging Diverse Populations

Engaging Diverse Populations
PI activities are intended to inform and educate underserved populations of critical transportation issues surrounding a project. Once these populations are made aware of why a project is needed and how daily travel and quality of life may be impacted, establishing effective two-way communication will increase the understanding of existing and future concerns. This is important during all phases of the PDP.

Defining project impacts and anticipated benefits will help decision-makers comprehend what is important to the community and avoid disruption to the social and economic fabric. It is imperative that underserved populations be integrated into the decision-making process for unique and alternate opinions, perspectives, and ideas to be heard. This effort will assist in establishing consensus and that the transportation decisions made satisfy community needs.
Chapter 4: Engaging the Public
01/06/2020

Customary PI Methods
Recognizing and understanding why customary PI activities may not be adequate in encouraging proactive involvement among underserved populations is important to the success of PI activities. Activities that target certain segments of the population, such as only conducting meetings with constituents who live in affluent areas or certain neighborhoods, conducting meetings at non-accessible locations, or not providing translated materials or interpreters for those who request these services, are not only discriminatory but neglect to obtain diverse viewpoints and understand the needs of a specific neighborhood or community.

Strategic Engagement
There are several factors that need to be considered and accounted for when engaging underserved populations. It is imperative that underserved populations be identified early and integrated into the decision-making process for unique and alternate opinions, perspectives, and ideas to be heard. Due diligence must be taken to identify underserved populations to effectively convey issues and solicit input, link cultural, social, and economic needs, utilize techniques that increase participation and interaction, and develop community partnerships. The first step in identifying underserved populations for a given project is to follow the ODOT Underserved Populations Guidance and obtain the appropriate census data mapping. Once Underserved Populations have been identified within the proposed project or study area, ODOT must make a determination regarding whether or not those populations will be impacted by the proposed undertaking and, if so, how they will be impacted. Then, meaningful outreach must be conducted to include Underserved Populations in the PI Process. Keep in mind that this will likely look very different in rural areas than in urban areas.

Effective outreach with underserved populations will not only provide opportunities to participate but will increase understanding of differing perspectives related to community-specific issues and concerns not previously known, identify potential controversies and issues, and develop viable solutions to mitigate adverse impacts and to address existing transportation problems. These efforts not only help in the distribution of pertinent information, but also increase the potential of obtaining consensus for decision-making purposes. The greater the consensus among community members, the greater the potential becomes for a successful project outcome. A PI Plan, depending on a project’s type and complexity, will include ways to reach out to and solicit input from underserved populations.

There are several unique and innovative strategies, methods, approaches, and techniques that go beyond customary PI approaches that can be used to reach out to underserved populations of the community. It is important to be proactive and get creative when attempting to engage these populations. Incorporating this strategy can expand the sharing of information and ideas, the level of input received, and the identification of issues; develop community relationships; and establish credibility and trust.

Conducting specialized meetings, such as a stakeholder advisory committee, a community meeting, a workshop, or a focus group, can enhance the sharing of information and ideas, the level of input received, the identification of issues; expand networking opportunities; build consensus; incorporate alternative perspectives; and establish credibility and trust. It is important to keep in mind that some underserved populations may feel intimidated when an outreach strategy relies on large public workshops. Coordinating smaller workshops and meetings with these communities encourages participation.
To solicit meaningful input, PI activities must be designed specifically to accommodate the affected community. The challenge may be in determining what segments of the population need to be reached and how to reach them. Minorities are not always in the low-income populations, and low-incomes individuals are not always minorities. Receiving input from every segment of the population, to the extent practical, is critical to successful transportation decision-making. For more examples on how to reach affected populations please refer to the ODOT Underserved Populations Guidance.

4.3 Public Meetings and Public Hearings

Public meetings and hearings are designed to allow the Project Management Team to share relevant information with stakeholders and the public, and in return, hear concerns and opinions they may have on a project. Presenting information to the public as early as possible and receiving feedback throughout the PDP not only enhances the decision-making process but is vital to a project’s success. Stakeholders and the public value the ability to give and receive firsthand perspectives, which allows the Project Management Team to understand the challenges that exist and the critical items that need to be addressed and resolved. In short, the purpose of holding a public meeting or hearing is to:

- Provide project information
- Receive input and engage in dialogue
- Illustrate how decisions were made
- Build consensus
- Consider modifications and/or other alternatives needed
- Provide focused interaction between the Project Management Team and the public

The primary differences between a public meeting and a public hearing are:

- Public hearings are required by Federal regulations for projects requiring an Environmental Assessment (EA) or Environmental Impact Statement (EIS). Stipulated regulations for public hearings can be found at 23 CFR 771
- Public hearings are held at the end of the NEPA process, whereas public meetings are typically held at the beginning of the NEPA process
- Specific timeframes and requirements associated with advertising, public notices, and the submittal of written comments are different for public hearings and public meetings
- An official court stenographer and transcription of testimony is required for public hearings

A public hearing is a formal proceeding designed to meet specific timeframes and criteria in compliance with the National Environmental Policy Act (NEPA). A sample timeline for a public hearing is provided in the Public Involvement Toolbox. In Ohio, public hearings are conducted prior to a decision-making point (e.g. FONSI).

Public meetings are usually less formal than Public Hearings. Public meetings are not required for Path 1 or Path 2 projects or for Path 3 projects with no substantial property-owner impacts. For projects with minor property-owner impacts one-one-one meetings may be sufficient. However, certain circumstances may warrant a public meeting, which could include impacts upon a business or historic district, minor controversy related to environmental concerns, or overall dissent toward the project. For projects of this type,
District Environmental Staff and the Project Manager (PM) are responsible for considering and assessing the complexity of issues and determining the need for a meeting.

Path 3 projects with property-owner impacts, Path 4, and Path 5 projects have a greater potential to impact, alter or disrupt day-to-day activities and community cohesion. Therefore, these higher-level projects require at least one public meeting. Path 4 and Path 5 projects that require an Environmental Assessment [EA] or Environmental Impact Statement [EIS] will also require a public hearing, in addition to the public meeting. The public meeting is held early in the PDP to gather input that will assist in decision-making. The public hearing is held at the end of the process to share the decisions that have been made with the public.

Types of Public Meetings
Depending on the context and need, public meetings can either be formal or informal and may involve the attendance of large or small community groups. Typically, most public meetings are structured as a traditional open house format with presentation. There are other alternative forms of meetings that may be appropriate based upon complex issues, substantial controversy or the need to reach out to non-traditional groups within the community.

Projects with a high level of complexity and impacts (Path 3, Path 4, and Path 5 projects) may require one or two Open House Public Meetings early in the process, prior to holding a formal public meeting. The goal is to inform stakeholders and the public early and often and afford opportunities to provide input as the project is being developed.

Public meetings typically take place during the Preliminary Engineering Phase of the PDP and may be needed in later phases (e.g. Environmental Engineering Phase). This provides an opportunity to formally introduce a project to the public, to present feasible alternatives (or a preferred alternative), environmental impacts, relocations, etc., and to integrate input obtained from the public into the decision-making process. For larger, more complex projects, public meetings can begin early in the Planning Phase of the PDP. This is necessary to help the public understand the overall scope of the project and the problems it is planning to address.

It should be noted that existing regulations do not dictate a prescribed format to follow for every project. Rather, public meetings are structured as appropriate to the needs of the public and to the type of project. It is recommended that a follow up meeting be held after a public meeting to discuss what worked well and what didn’t. The key is to be inclusive of all community segments and to ensure enough opportunity for involvement. To that end, there are alternative formats of public meetings that can be used in lieu of, or in addition to, the traditional or formal meeting.

Focus Groups
Focus groups are typically initiated for Path 4 and Path 5 projects early during the Planning Phase and can be held concurrently with stakeholder meetings. This type of meeting is designed to solicit input from stakeholders and residents regarding specific areas within the surrounding project area. Depending on project circumstances, several focus groups may be needed.
Characteristics of a focus group include:

- Small groups that consist of 15-20 people
- Designed to gauge public opinion and perspective on community values, needs, expectations, and concerns
- Facilitated agenda that focuses on four or five main topics
  - HOV lanes, transit, access, economic development
- Interactive and involves open dialogue
- Identification of major points of agreement and disagreement
- Minimal presentation of project plans, purpose, etc. to avoid preconceived notions that decisions have been made

Individuals selected to participate can be a combination of stakeholders and the public. Depending on the goals to be achieved, a focus group can be comprised of a variety of individuals or groups, including area residents, businesses and institutions. The purpose of the focus group is clearly defined beforehand and the agenda created will be commensurate with the needs of the project.

This activity is typically led by a professional facilitator that is a PI Subject Matter Expert (SME) with experience leading transportation focus groups. The facilitator guides discussion of all agenda items and assures all individuals get a chance to respond, especially those that may want to react to opinions expressed or discuss their own ideas.

The facilitator is essential to keep the group focused and on task, elicit opinions from each participant, and keep a single participant from dominating the proceedings. The PM and the Project Management Team will advise the facilitator on the purpose of the focus group to assure all topics get equitable attention.

**Workshops**

Workshops usually include a presentation of the project followed by interaction between the project management team and stakeholders, residents, interest groups, businesses, etc. Workshops are often initiated for large and/or complex Path 4 and Path 5 (D3 and EA/EIS) projects, to gain perspective from stakeholders, interest groups, and the public. Workshops can be useful in resolving issues and/or impasses that exist between groups as part of the Planning and/or Environmental Engineering Phase.

Workshops are designed to:

- Define and resolve issues and address concerns
- Be interactive
- Facilitate discussions, promote ownership, and defuse negative opinions or controversy
- Develop alternative approaches to solutions
- Build consensus

The success of workshops relies on extensive preparation by the project management team. A workshop can be conducted as part of a public meeting or a stand-alone vehicle for direct interaction.
The purpose of conducting a workshop is to call attention to issues that need to be resolved to avoid substantial delays to a project. Facilitation of the workshop is a collaborative effort between the Project Management Team and one or more professional facilitators.

A wide range of individuals and/or interest groups (including stakeholders and the public) with differing interests are invited. Typically, participants represent organized groups, but individuals with a stake in the project or a particular issue are encouraged to attend.

Having experienced facilitators lead workshops ensures a range of views are incorporated and that all participants will be given the opportunity to participate freely without fear of rebuke or ridicule. Experienced facilitators help keep the workshops focused and organized and know how to handle group dynamics or controversial items.

Incorporating graphics and materials that illustrate issues and problems surrounding the project will support the workshop’s goal of problem-solving and finding alternative solutions, as needed. A workshop can occur at any phase, as needed, of the PDP. Advance work can take a month or more, depending on the issues to be discussed. Workshop materials are tailored to meet the goals and objectives of the workshop.

Workshops may only need to be 2-3 hours, however, some can be day-long events, so plan accordingly when choosing a centralized location. Workshops are best held in public, neutral and convenient sites. Since workshops can be broken into smaller groups, several rooms should be accessible to the participating members, if needed. Attendees are typically arranged at tables to encourage small group discussion and allows each table to report out as a group on the topic they have been assigned.
Advisory Committee Meeting
An Advisory Committee may be formed if a project is likely to cause multiple, high-interest impacts to the community. Participation is by invitation only and typically includes project sponsors, city/county/township officials, political representatives, government agencies, business owners, etc. Participants are usually stakeholders who seek to resolve specific conflicts, improve relations, develop solutions, and build consensus. Advisory Committee Meetings are primarily used for large and complex Path 4 and Path 5 projects. These meetings can be held during any phase of the project.

Online or Virtual Public Meeting
An online public meeting can be used in conjunction with a physical public meeting. They are meant to provide information to the general public in a convenient, easy to share format. They are very effective for reaching those who cannot attend a physical open house. Often, more people will access the electronic public meeting rather than traveling to a physical open house.

An online public meeting can be created using interactive PDFs or videos. These videos often include a summary of the displays or exhibits you may create for a physical open house (project background, progress, upcoming milestones, etc.) along with a voice-over of the material. Be sure to include details regarding the deadline and methods for the public to provide comment and input on the information presented.

After the creation of your online public meeting, be sure to post on your project webpage and publicize the posting, as needed. Invite the public to watch the open house and share with others. Also consider posting your online open house URL in project newsletters/email updates.

Consider using YouTube.com for distribution and posting. YouTube is one of the most popular video sharing websites in the world and can offer analytics for measuring the success and value of your video.

Open House Public Meeting
Circumstances surrounding a project may warrant an Open House Public Meeting format on a Path 1, Path 2, or Path 3 project. Open House Public Meetings do not require a formal agenda, presentation or Open Microphone. This type of public meeting can be used as an initial way to formally introduce a project and obtain feedback.

Open House Public Meeting attendees receive project information via exhibits, displays, handouts, slideshow, or video display. This format allows attendees to review all materials at their leisure, ask questions, and discuss the issues with the Project Management Team. This type of casual, low-key environment is designed to encourage attendees to provide input orally or submit comments.

Typically, there is no formal agenda and this type of public meeting can be held for 3-4 hours during the late afternoon into early evening to maximize opportunities for the public to attend at a time convenient for them. The times of the open house should accommodate shift changes, rush hour, family meal times, etc. (e.g. 3:00 pm - 7:00 pm or 4:00 pm - 8:00 pm).
Formal Public Meeting
Path 3, Path 4, and Path 5 projects may warrant a more elevated style of presenting project information. A Formal Public Meeting is more structured, offers attendees the opportunity to present their comments and opinions in front of their peers, and be more engaged in one-on-one conversations with the Project Management Team. This type of meeting is typically held for large and complex projects that may have multiple impacts that will affect a potentially wide audience. Furthermore, this format can assist in managing and reducing opposition, controversy, and misinformation. Presenting the project in this format will enable the Project Management Team to monitor reactions, understand opinions, and strengthen partnerships.

A Formal Public Meeting follows a structured format that begins and ends at a pre-determined time, includes a presentation by the project management team, and provides an Open Microphone session during which participants can provide comments and propose questions. The District/project sponsor may choose to answer questions at that time or may defer responses and answer them in writing later. Due to the structured approach an agenda is created to maximize the time allotted.

If an Open Microphone is part of the program, ground rules must be:
- Distributed as part of advanced meeting notifications
- Handed out at the welcome table when attendees register
- Posted around the meeting room

Combination Formal & Open House Meeting
Combining an open house and formal meeting is ideal for many projects. The public can speak informally and individually with project staff and closely examine exhibits, followed by a formal presentation to all attendees. For longer meetings, the presentation can be delivered multiple times.

This type of meeting works especially well for large, complex projects with numerous alternatives. A combination meeting can also be useful for controversial projects where ODOT wants to more fully understand issues and personally connect with stakeholders.

Public Hearing
A public hearing is very similar to a public meeting with a few distinct differences. A public hearing is required by federal law for transportation projects requiring development of an EA or EIS. The public hearing will not be the only opportunity to involve the public on EA or EIS projects. These types of projects will have public meetings conducted throughout different intervals of the PDP as part of the decision-making process. The public hearing typically comes is the point in the NEPA process where decisions made for the project are shared with stakeholders and the public, whose comments concerning the project will become part of the public record. Much of what is shared during the public hearing has been developed with stakeholder and public input during early phases of the PDP.

The Project Management Team will provide a presentation at the hearing and will encourage and provide the best opportunities for stakeholders and the public to participate. A transcript of all proceedings which includes presentations, all testimony received, and all handouts, materials, exhibits, and displays used is required for EA and EIS projects.

A Public Hearing must afford the opportunity for the public to be heard in front of their peers. An official court recorder is present so that a verbatim transcript can be made part of
the project record following the proceedings. All verbal and written comments received, presentation materials, exhibits, displays, and handouts received become part of the official project record. Additionally, there are specific advertising and notification requirements for public hearings.

**Strategy Meetings**
Establishing periodic strategy meetings may be beneficial for Path 3, Path 4, and Path 5 projects. Strategy meetings are designed to direct and assist the Project Management Team to ensure PI procedures are implemented properly and that PI goals and objectives are met. Instituting strategy meetings at the onset of a project (i.e., during the Planning Phase) can lead to a comprehensive and successful decision-making process, reduce miscommunication with stakeholders and the public, and reduce sharing of incorrect information.

**Public Information Officer (PIO) Involvement for Public Meetings**
A PIO is the primary communications coordinator or spokesperson for ODOT whose responsibility is to convey information related to transportation programs or projects to news media and the public. A PIO can facilitate in the dissemination of project information and public notifications for Path 3, Path 4, and Path 5 projects through a variety of strategies. Most communication strategies rely on using news media, social media, and other outlets to relay critical and time sensitive information to the public. On Path 3, and Path 4 and Path 5 projects, the potential for media involvement is higher. Therefore, it is recommended that the Project Management Team involve the PIO.

The PIO is an asset on higher level projects as established relationships typically exist with news organizations and other media outlets. Although a PIO primarily focuses on working with local and regional news media, a PIO can assist in developing communication strategies to inform the public about upcoming projects, project status updates, or other PI activities (e.g., public meeting). A PIO can also assist District Environmental Staff, the PM, or the Project Management Team (as needed) in properly responding to comments received from the public.

**Stakeholder Involvement for Public Meetings**
For projects that are or become high profile or controversial, it may be beneficial to invite influential community leaders that support the project or may represent the community or a group to attend the public meeting. These advocates can be instrumental in providing assurances to the public that they personally have been involved and part of the decision-making process from the beginning and have advocated issues on their behalf. Furthermore, District Environmental Staff, the PM, or the Project Management Team will need to be aware of and invite stakeholders not previously identified or that express an interest to be a stakeholder during later phases of the PDP.

Stakeholders can be afforded the opportunity to provide feedback on what will be presented to the public in advance of the public meeting. This will enable District Environmental Staff, the PM, or the Project Management Team to gain perspective on issues or challenges that may arise as the project progresses. Meeting with stakeholders is instrumental if obtaining their buy-in is critical to the success of a project.

It may be beneficial to conduct a stakeholder meeting on the same day of the public meeting or public hearing for preparation or debriefing purposes. However, depending on
circumstances surrounding a project, it may be beneficial to hold the stakeholder meeting several days in advance.

Venue Selection
When conducting a public meeting or public hearing, a proper location must be selected that is ADA compliant. It is strongly recommended to select venues close to transit stops with free parking and good exterior lighting. Popular venues that may be more likely to accommodate all needs include, but are not limited to:

- Schools
- Colleges/Universities
- Government Buildings
- Churches/Temperles
- Community Centers

Public facilities should be used after normal business hours to avoid conflicts related to parking, congestion, interruptions, etc. Research the meeting facility and reserve the space at least three months prior to the meeting. Use the Public Meeting or Hearing Facility Checklist in the Public Involvement Toolbox Public Meeting or Hearing folder to ensure the facility will accommodate all the requirements.

- Be sure the venue can accommodate the selected format and anticipated attendance
  - If the purpose is to simply provide information, a gymnasium, auditorium, or large space may be adequate
  - If a variety of information is to be provided with the purpose of receiving feedback, a venue large enough to accommodate multiple workstations and seating will be needed
  - If a large crowd is expected, find a venue with enough space to set up two identical sets of workstations that allow adequate movement
  - Ensure the venue can accommodate all audio/visual needs

Presentations
Presentations are an effective and organized method of conveying key information and addressing community concerns and issues. Most projects that have presentations are typically Path 3, Path 4, and Path 5 Projects (higher level CE documents, Environmental Assessments [EA], and Environmental Impact Statements [EIS]). Presentations may incorporate a wide variety of methods, means, and techniques to enable the audience to be engaged and understand the information being given.

As previously stated, ODOT’s brand and identity guidelines are the foundation to communicating ODOT’s message consistently, clearly, and with purpose. ODOT’s PI Toolbox includes more detailed information regarding formal presentations including format guidelines, a suggested outline, a presentation template, and tips for an effective and successful presentation. Please consult with the District Environmental Coordinator for your project to ensure conformity with ODOT’s brand and with the PI Toolbox.

Public Comments
The most common way for the public to provide ideas, arguments, or opposition to a project is through written or verbal comments. Depending on the scope of the PI plan, as well as the level of controversy or interest surrounding a project, a large volume of comments may be
generated. Therefore, developing a protocol of how comments are submitted and responded to will be advantageous to District Environmental Staff, the PM, or the Project Management Team.

The purpose of soliciting public comments is to:

- Understand alternate perspectives and community values
- Understand real and/or perceived impacts a project will create
- Identify transportation needs to address
- Understand which transportation solutions will fit community needs
- Make informed decisions as a project advances through the PDP

Developing a protocol for collecting and responding to public comments can include:

Submittal of Comments
Comments can be collected at any time during the decision-making process using a variety of methods that include, but are not limited to:

- Survey
- Comment Forms
- Letter
- Telephone
- Email
- Social Media
- Project Website

Review and Analysis
To help manage this task, comments can be sorted into four categories:

- General
  - Support or oppose a project
  - No facts or reason to substantiate opinions
- Procedural
  - Related specifically to decision-making process, NEPA procedures or PI process
- Project Specific
  - Relates to project planning and development, request for additional project information/data, or is environmental resource specific
- Other
  - Non-project/non-NEPA specific comments (e.g. corruption, waste of taxpayer dollars)

Acknowledgement and Response
Responding to comments that specifically support a project or provide substantive criticism and legitimate opposition will encourage individuals and/or groups to continue to be proactively involved. Furthermore, providing a proper mailed response to those who commented that sincerely acknowledges their concerns will help facilitate future communication and build trust and credibility. A complete answer to all issues raised should be provided, as well as providing an explanation of any research or analysis that forms the basis of the answer. Include information explaining how the individual can continue to be involved in the decision-making process and what next steps are anticipated.
A response to questions from the public should be provided within 30 calendar days of receiving the comment. Depending on the comments, the response may only require a simple acknowledgement and thank you, while others may require detailed information or feedback that may take time to analyze and research. In those instances, it is important to contact the individual and/or group to inform them their response was received (preferably within 15 calendar days), but that time is needed to research and answer their comment appropriately. The public is usually willing to wait for an answer if they know their comment was received and is being considered. When responding, indicate how the individual can continue to be involved in the decision-making process, and indicate next steps.

Documentation
A critical element of a response is documentation. There are two ways ODOT documents responses. The first is a summary report, which includes the number of comments received, and a brief synopsis of key issues raised, along with responses ODOT provided (See Public Involvement Toolbox for a template and examples). The second way ODOT documents responses is through a Direct Response to Comments. This record is made available for public viewing via the ODOT website, and illustrates comments received with corresponding responses from ODOT.

- Public Meeting Summary Report (See templates and examples in PI Toolbox)
  - Chronological
    - Document comments by date they are received
  - Categorized by Key Issues
    - Document comments by type of response
      - General, Procedural, Project Specific, Other
  - Assign a tracking number for large, complex, or controversial projects
  - Include number of comments received, and a brief synopsis of key issues raised, along with responses provided

- Direct Response to Comments
  - Listing of each comment received
  - Direct response provided to each individual comment

Distribution can be via newsletter, email, posted on the project website, or other appropriate means

Either of these documentation methods are acceptable. The comments and responses must be shared with the public and documentation must be uploaded to EnviroNet, and follow the ODOT NEPA File Management and Documentation Guidance.

Handling Difficult Situations
Dealing with upset people sometimes cannot be avoided, despite your best efforts to plan, use excellent communication skills, and reach out to local officials and affected people. If you find yourself in front of an angry speaker or group, here are some things to keep in mind:

- **Be respectful.** Do not engage in an argument, behave defensively, or raise your voice. No matter what others do, keep your cool. You will gain the respect of many in the audience if you remain consistently civil.
- **Using a calm voice,** ask people to speak one at a time. Having people shouting out or interrupting may lead to a breakdown of civility.
- **Acknowledge people’s feelings.** Dismissing them, even with gestures or attitude, may make things worse.
• **Keep answers brief.** This should be easy if answers are prepared in advance of the meeting for the kind of questions you expect.

• **Respond honestly** to questions that are asked. Don’t try to skirt difficult issues.

• **If you do not know the answer, say so.** Tell the person you will get back to them later (be sure to get contact information so you can keep your word).

• **Speak in plain, non-technical language.**

• **Involve people in constructive participation.** For example, if someone suggests that you do not know how local drivers behave you might suggest that the community organize a field trip for you, so they can show you the problem first hand.

• Remember, ODOT controls the meeting so if at any time safety becomes a concern we can stop the meeting and/or ask law enforcement to assist.

• For public meetings where controversy or contention is anticipated:
  
  o Require the public to register to give their comment
  
  o Place a time limit on comments
  
  o Plan to record comments and provide a written response later.
    
    ▪ The public must be notified in advance that this is how comments will be recorded and responded to.
CONCLUSION

Why Conduct PI?
The PI process is a collaborative effort between stakeholders, the public, coordinating agencies, transportation officials, and other interested parties. The inclusion of diverse viewpoints ensures the needs and preferences of a community are considered and enables transportation officials to make informed decisions based on multiple viewpoints. All transportation projects require early and continual PI opportunities during project planning and development in accordance with existing laws and regulations. An appropriate level of PI is required to be conducted based on a project’s type and complexity. Please visit the OES website periodically for updates and be sure to sign up for the OES mailing list to be notified when changes go into effect.

NEPA, the PDP, and PI
The variety of PI activities and approaches will be determined by a project’s type and complexity. The PDP path is the starting point for identifying the typical minimum PI activities necessary for a specific project type. PI is “right-sized” during each phase of the PDP, which allows flexibility to adjust PI to better support decision-making, if necessary, and ensures appropriate PI activities are conducted.

Preparing for Outreach
Other considerations when developing a Public Engagement Plan are the overall strategy and approaches. It is likely one approach will be sufficient; however, multiple approaches may be needed. Develop a Public Engagement Plan that is simple and efficient but is effective at keeping stakeholders and the public informed and involved in the process.

The amount of time needed to strategize, prepare for meetings, create and maintain mailing lists, respond to questions, etc., will need to be factored in to the entire PI process. Not only will time be an issue, but budgetary needs and allocation and availability of resources will need to be considered as well. For larger, more complex projects (Path 4 and Path 5), the Public Engagement Plan is considered a living document that may need to be modified as the project progresses.

Stakeholders should be identified as part of the Project Initiation Package. Input from stakeholders and the public must be strategic and should correspond with key decision-points throughout the life of the project. For Path 3, Path 4, and Path 5 projects, a Public Engagement Plan should define when stakeholders and the public become involved and how to appropriately engage them (See Chapter 3). Stakeholders and the public near a project may be extremely interested in all aspects, may desire more information, and may want to be engaged throughout the life of the project. The Public Engagement Plan can include and utilize a variety of PI approaches and activities that will meet the needs of stakeholders and the public. Opportunities for full and fair participation in the decision-making process must be provided. Each segment of the population must be identified early and integrated into the
decision-making process to establish consensus and to ensure that the transportation decisions being made will satisfy community needs.

Properly implemented, PI activities that engage and encourage participation from underserved populations will enhance the decision-making process by:

- Understanding and meeting essential local community transportation goals
- Designing projects to enhance community cohesion
- Establishing community-based partnerships
- Avoiding disproportionately high and adverse impacts
- Minimizing impacts through early identification

Depending on the context and intensity of anticipated project impacts to the human and natural environment based on the results of technical and environmental studies, it may become necessary to incorporate resource specific PI activities during any phase of ODOT’s PDP.

Engaging the Public

Various communication tools can be used as appropriate as each method will depend on a project’s type and complexity, the level of involvement required, and the demographics of the intended audience. While each tool is useful, the effectiveness of each tool will depend on PI goals and objectives and the target audience. No single tool will be effective in communicating with all parties. A combination of tools may need to be employed to effectively engage the broad range of stakeholders and the public. For examples of the materials and a list of public engagement tools please see the Public Involvement Toolbox.

Implementing PI

Implementing PI successfully includes identifying appropriate means, methods, and techniques to deliver project information in a timely fashion and to establish means of communication with stakeholders and the public. This is especially important for projects that have potential impacts on a community, daily travel, and quality of life. Developing PI goals and objectives will assist in how the appropriate message is delivered, enhance the decision-making process, and promote interaction between the project management team, stakeholders, and the public, providing a platform for success.

The PI Toolbox offers project PI guidance documents for each project path (Path 1, Path 2, Path 3, Path 4/5), which outlines the minimum PI required per project path and how to document that these requirements have been met. The toolbox also includes “how-to” guides, templates, and examples for most standard PI activities. The toolbox is still very much a work-in-progress which will continue to develop and grow over time. This will be a helpful tool to assist in streamlining PI efforts across the state and ensuring consistency in how PI activities are conducted.
## APPENDIX A

### PI Laws & Regulations

<table>
<thead>
<tr>
<th>STATUTES AT A GLANCE</th>
<th>WHAT IT DOES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age Discrimination Act of 1975</td>
<td>Prevents discrimination based on age</td>
</tr>
<tr>
<td>Council on Environmental Quality (CEQ) Regulations / State of Ohio Regulations - 1969 (40 CFR 1500.1 and 1506.6)</td>
<td>Mandates the public be provided the opportunity to participate in decision-making</td>
</tr>
<tr>
<td>Executive Order 12898 - 1994 (Environmental Justice)</td>
<td>Mandates fair and equitable treatment of low-income and minority (EJ) populations Directs Federal agencies to identify and address disproportionately high and adverse impacts upon minority and low-income populations</td>
</tr>
<tr>
<td>Executive Order 13166 - 2000 (Limited English Proficiency)</td>
<td>Mandates that Limited English Proficiency persons (who do not speak English as their primary language and/or have limited ability to read, speak, write, or understand English) have meaningful access to programs and services</td>
</tr>
<tr>
<td>Federal Aid Highway Act of 1973</td>
<td>Provided funding for the interstate</td>
</tr>
<tr>
<td>FHWA Planning and Assistance Standards / State of Ohio Regulations (23 CFR 450.210, 23 CFR 450.212, 23 CFR 450.316, 23 CFR 771.111, ORC 5511.01)</td>
<td>Requires a proactive public involvement process</td>
</tr>
<tr>
<td>FHWA Title VI Regulations - 1976/NEPA Assignment Memorandum of Understanding between FHWA and ODOT - 2018 (23 USC 327)</td>
<td>Provided FHWA the authority to ensure those using Federal dollars for transportation projects (DOTs, MPOs, LPAs, etc.) are complying with laws, regulations, and related statutes</td>
</tr>
<tr>
<td>National Environmental Policy Act (NEPA) of 1969 Section 102 (42 USC 4332)</td>
<td>Requires consideration of impacts to the natural and human environment during decision-making</td>
</tr>
<tr>
<td>Rehabilitation Act of 1973 / Americans with Disabilities Act (ADA) of 1990</td>
<td>Protects qualified individuals from discrimination based on their disability</td>
</tr>
<tr>
<td>Title VI of the Civil Rights Act of 1964</td>
<td>Prevents discrimination based on race, color, or national origin</td>
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National Environmental Policy Act (NEPA) of 1969

Section 102 [42 USC § 4332]
The Congress authorizes and directs that, to the fullest extent possible...all agencies of the Federal Government shall:

a) Utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision-making which may have an impact on man's environment;

b) Identify and develop methods and procedures, in consultation with the Council on Environmental Quality established by Title II of this Act, which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decision-making along with economic and technical considerations

Council on Environmental Quality (CEQ) Regulations 40 CFR 1500.1 and 1506.6

These CEQ regulations require ODOT to involve the public as part of the NEPA process and to provide public notice of NEPA-related public meetings, public hearings, and the availability of environmental documents to provide information to those persons and agencies who may be interested in or affected by a proposed project.

1500.1 Purpose

(b) NEPA procedures must ensure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality...

(c) ...it is not better documents but better decisions that count. NEPA's purpose is not to generate paperwork--even excellent paperwork--but to foster excellent action. The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences...

1506.6 Public Involvement

Agencies shall:

(a) Make diligent efforts to involve the public in preparing and implementing their NEPA procedures

(b) Provide public notice of NEPA-related hearings, public meetings, and the availability of environmental documents to inform those persons and agencies that may be interested or affected
Federal Highway Administration (FHWA) Regulations - Planning Assistance and Standards

As part of Statewide and Metropolitan Transportation Planning and Programming, these regulations require ODOT to develop a proactive PI process that provides opportunities for public review and comment at key decision points. This includes opportunities for early and continuing involvement as part of the PDP. The public is to be provided timely information on transportation issues and the environmental process, as well as have access to technical and policy information used in the development and planning of a proposed project.

Subpart A - Statewide Transportation Planning and Programming

23 CFR 450.210 Interested parties, public involvement, and consultation

(a) In carrying out the statewide transportation planning process, including development of the long-range statewide transportation plan and the STIP, the State shall develop and use a documented public involvement process that provides opportunities for public review and comment at key decision points

(1) The State’s public involvement process at a minimum shall:

(i) Establish early and continuous public involvement opportunities that provide timely information about transportation issues and decision-making processes to citizens...and other interested parties;

(ii) Provide reasonable public access to technical and policy information used in the development of the long-range statewide transportation plan and the STIP;

(iii) Provide adequate public notice of public involvement activities and time for public review and comment at key decision points, including but not limited to a reasonable opportunity to comment on the proposed long-range statewide transportation plan and STIP

23 CFR 450.212 Transportation planning studies and project development

(2) The systems-level, corridor, or planning study is conducted with:

(i) Involvement of interested state, local, and federal agencies

(ii) Public review

(iii) Reasonable opportunity to comment during planning process

(iv) Documentation of relevant decisions that are identifiable and available for review during the NEPA scoping process and can be appended to or referenced in the NEPA document
Subpart C - Metropolitan Transportation Planning and Programming

450.316 Interested parties, participation, and consultation

(a) The MPO shall develop and use a documented participation plan that defines a process for providing citizens...and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process

(1) The participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:

(i) Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including but not limited to a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;

(ii) Providing timely notice and reasonable access to information about transportation issues and processes;

(iii) Employing visualization techniques to describe metropolitan transportation plans and TIPS;

(iv) Making public information (technical information and meeting notices) available in electronically accessible formats and means...;

(v) Holding any public meetings at convenient and accessible locations and times;

(vi) Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;

(vii) Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;

(viii) Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts;

(ix) Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part;

(x) Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.
FHWA Legislation, Regulations, and Guidance - Environmental Impact

The FHWA Environmental regulations require that early PI activities occur to determine the level of analysis needed and related environmental requirements. This involves early and continuing opportunities during project development to facilitate the exchange of ideas and information and identify social, economic, and environmental impacts, as well as impacts associated with relocation of individuals, groups, or institutions.

23 CFR 771.111 Early coordination, PI, and project development

(a)(1) Early coordination with appropriate agencies and the public aids in determining the type of environmental review documents an action requires, the scope of the document, the level of analysis, and related environmental requirements. This involves the exchange of information from the inception of a proposal for action to preparation of the environmental review documents...

(h) For the Federal-aid Highway Program:

(1) Each State must have procedures approved by the FHWA to carry out a public involvement/public hearing program...

(2) State public involvement/public hearing procedures must provide for:

(i) Coordination of public involvement activities...

(ii) Early and continuing opportunities during project development for the public to be involved in the identification of social, economic, and environmental impacts, as well as impacts associated with relocation of individuals, groups, or institutions

Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 prohibits discrimination based upon race, color, and national origin and establishes the requirement that no person is to be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These protections apply to anyone, regardless of whether the individual is lawfully present in the United States or a citizen of a State within the United States.

In conjunction with Title VI, there are other nondiscrimination statutes that afford legal protection and are applicable to Federal programs and those programs receiving federal financial assistance. These protected populations are included under the umbrella of FHWA's Title VI Program.

The Age Discrimination Act of 1975 requires that no person shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance.
Section 504 of the Rehabilitation Act of 1973... requires that no individual with a disability shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Amendments to this section can be found in the Rehabilitation, Comprehensive Services, and Development Disabilities Act of 1978.

The Americans with Disabilities Act (ADA) of 1990 (ADA) requires that individuals with disabilities be provided equal opportunity to participate in or benefit from public services, programs, and activities. The ADA prohibits discrimination and ensures equal opportunity for persons with disabilities. By encouraging the involvement of individuals with disabilities, ODOT can obtain valuable perspectives on the attitudes and needs of the disabled community.

Executive Order 13166 requires federal agencies to evaluate services provided and ensure the needs of Limited English Proficiency (LEP) persons seeking access to federal programs and activities are meaningfully addressed.

Older adults are defined by ODOT for the purposes of this guidance as individuals over the age of 64. Individuals with Disabilities is defined by the United States Department of Justice as an individual with a physical or mental impairment that substantially limits one or more major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment. It is important to note that ODOT does not require proof of such impairment. Individuals with Limited English Proficiency is defined by the United States Department of Justice as Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English, otherwise known as limited English proficient, or "LEP." These individuals may be entitled language assistance with respect to a type of service, benefit, or encounter.

Executive Order 12898
Executive Order 12898 directs federal agencies to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities upon Environmental Justice populations, that is minority and low-income populations. According to Federal Highway Administration (FHWA) Order 6640.23A, a disproportionately high and adverse effect is described as an effect that:

1) Is predominantly borne by a minority and/or low-income population; or

2) Will be suffered by the minority and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority and/or non-low-income population

An Executive Order is a directive issued by the President of the United States that has the power of federal law. The issuance of an EO is to direct and assist in the management of Federal Government operations. While all EOs have the power of law, a lawsuit cannot be brought under an EO. For litigation purposes, lawsuits related to Environmental Justice (EJ) are brought under Title VI.
Minority populations are defined by the United States Census Bureau as:

- Black or African American - A person having origins in any of the Black racial groups of Africa
- Hispanic or Latin American - A person of Mexican, Puerto Rican, Cuban, Central or South American origins, or the Spanish culture or origin, regardless of race
- Asian American - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent
- American Indian or Alaskan Native - A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment
- Native Hawaiian or Other Pacific Islander - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands

Low-income is defined as:

- A median household income that is at or below the Department of Health and Human Services Poverty Guidelines. (The guidelines are updated annually.)

The Executive Order requires specific procedures be established to provide meaningful public involvement opportunities for minority and low-income populations throughout project development. The Executive Order for Environmental Justice should not be confused with other federal mandates, such as Title VI of the Civil Rights Act of 1964. Executive Order 12898 focuses specifically on how to identify and be inclusive of Environmental Justice populations, whereas Title VI focuses on discriminatory practices.

Based on EO 12898 and FHWA Order 6640.23A, ODOT ensures that transportation projects incorporate avoidance, minimization, or mitigation of disproportionately high or adverse effects to EJ populations (including social and economic impacts). This is accomplished by affording opportunities for full and fair participation in the decision-making process to prevent the denial of, reduction in, or significant delay in the receipt of benefits. The identification of EJ populations and analysis of impacts are defined in ODOT OES’ Underserved Populations Guidance that must be followed for all C2, D1, D2, and D3 level CEs, as well as EA and EIS documents.

In accordance with existing federal regulations and ODOT’s EJ Guidance, EJ populations must be:

- Identified early in the Project Development Process (PDP)
- Informed and proactively engaged during every phase of the PDP
- Assured that efforts will be made to avoid, minimize or mitigate disproportionately high and adverse effects (if known or anticipated)
Section 1-1 Implementation
Each Federal agency shall make achieving Environmental Justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

Section 5-5 Public Participation and Access to Information
b) Each Federal agency may, whenever practicable and appropriate, translate crucial public documents, notices, and hearings relating to human health or the environment for limited English-speaking populations.
c) Public documents, notices, and hearings related to human health or the environment are concise, understandable, and accessible to the public.
d) Hold public meetings, as appropriate, for fact-finding, receiving public comments, and conducting inquiries concerning EJ. Prepare, for public review, a summary of the comments and recommendations discussed at the public meetings.

State of Ohio Regulations
ORC 5511.01
This law stipulates that ODOT will notify the general community of the proposed project and offer an opportunity for appropriate PI. Before establishing any additional highways...or making any significant changes in existing highways comprising the system, the director of transportation shall notify the general community of the project and offer an opportunity for appropriate public involvement in the project process.

The opportunity for PI shall satisfy the requirements of the National Environmental Policy Act of 1969...as amended and may consist of activities including public meetings or hearings, small group meetings with local officials, individual meetings, news releases, public notices, workshops, newsletters, electronic communications, radio announcements, mail notification, and other activities considered appropriate for the exchange of information.

NEPA Assignment Memorandum of Understanding between FHWA and ODOT
23 USC 327
This Memorandum of Understanding (MOU) between the Federal Highway Administration (FHWA), an administration in the United States Department of Transportation (USDOT), and the Ohio Department of Transportation (ODOT), was initially executed December 11, 2015, and amended June 6, 2018.

Section 3.1.2
This section of the MOU requires the following language be included in all environmental documents produced by ODOT:

“The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated June 6, 2018, and executed by FHWA and ODOT.”
Section 3.1.3
This section of the MOU requires ODOT to disclose the above language to the public and to agencies as part of agency outreach and public involvement procedures, including any notice of intent or scoping meeting notice. Districts or the project sponsor are required to distribute information explaining NEPA Assignment to the public on projects assigned under the MOU. OES has developed brochures and poster boards which shall be used at public meetings related to NEPA Public Involvement for this purpose. The above language must be included in the notice for public involvement events and in all correspondence with the agencies except for correspondence regarding arranging meetings or that is non-decisional in nature.